

RONALD DALE BURSTON, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:12CV00030 SNLJ
	)	
MICHAEL HAKALA, et al.	)	
	)	
Defendants.	)	

This matter is before the Court on plaintiff's motion for extension of time to file his summary judgment motion and motion for appointment of counsel, #71. The first portion of plaintiff's motion pertaining to an extension of time is denied as moot. The Court granted plaintiff's first motion for extension of time, #69, on July 16, 2013. The second portion of his motion pertaining to appointment of counsel will also be denied.

There is no constitutional or statutory right to appointed counsel in civil cases. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present

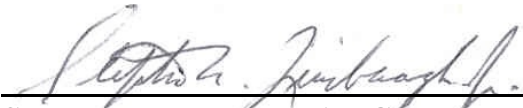
the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. See Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering these factors, the Court finds that the facts and legal issues involved are not so complicated that the appointment of counsel is warranted at this time.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for appointment of counsel is **DENIED** without prejudice.

Dated this 17th day of July, 2013.

  
STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE